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UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

AEDES DE VENUSTAS, INC., :

Plaintiff, :

v. : Civil Action No.: 1:07-04530 (LTS)

VENUSTAS INTERNATIONAL, LLC, :

Defendant. :

DECLARATION OF DAMIAS WILSON

Damias Wilson hereby declares as follows:

1. I am an investigator with Robert Jackson & Associates, a private investigation firm, located at 853 Broadway, New York, New York.
2. At the request of Mathews, Shepherd, McKay & Bruneau, I conducted an investigation of companies utilizing the terms "VENUSTAS" and "VENUS" either as a company name, trade name or trademark in the health and beauty aid industries.

3. I researched companies to obtain information about their use of one of those terms via the world wide web, as well as calling the companies to speak with representatives to obtain an understanding and confirmation of their use, as well as the nature of the company's business.

4. From my investigation, I was able to obtain information on the following companies and how they are using Venustas or Venus with their businesses.

Venustas Villa

5. My investigation identified "VENUSTAS VILLA" of 725 Jensen Grove Drive, No. 4, Blackfoot, Idaho 83221, with a telephone number of 208-785-9660.

6. I spoke with Meghan in administration with Venustas Villa, and determined the company is currently in business, under the name "VENUSTAS VILLA," as a day spa, offering massages, facials, manicures, pedicures and hair styling service. They also sell a wide range of beauty and hair care products from different third parties. According to the woman I spoke to in Administration, the company has been in business for approximately five years.

Venus Perfume

7. My investigation revealed a perfume sold on the internet named "VENUS Perfume by Edith Gonzalez," available at www.beautyproducts.us, a website maintained by Zdenka Prokop doing business as Zermat USA, Inc. Attached at Exhibit 1 is a printout downloaded from the beautyproducts.us website showing the "VENUS" perfume.

8. I spoke with Zdenka Prokop who indicated she is an independent distributor for Zermat Cosmetic products. She confirmed that the "VENUS" perfume by Edith Gonzalez is currently available for sale on the web at sites such as www.beautyproducts.us or by telephone.

Vicky Tiel Venus De L'Amour

9. My investigation identified Vicky Tiel U.S.A., Inc., who is the original creator of the "VENUS DE L'AMOUR" fragrance. Vicky Tiel U.S.A., Inc. is located at 159 E. 63rd Street #1, New York, New York 10021 with a telephone number of 212-644-8244.

10. I spoke with Vicky Tiel of Vicky Tiel U.S.A., Inc., who informed me the perfume was designed approximately 10 years ago and that distribution of the perfume was subsequently sold to Five Star Fragrance Company of 1095 Long Island Avenue, #1, Deer Park, New York, 11729.

11. My investigation further identified that Vicky Tiel "VENUS DE L'AMOUR" Perfume is available for purchase on the web at websites such as www.fragranex.com; www.perfume.com, and www.nellbutler.com, as well as www.amazon.com. Attached at Exhibit 2 is an image of the Vicky Tiel "VENUS DE L'AMOUR" packaging from the website www.fragrancex.com.

Venus Cream

12. My investigation identified "VENUS" moisturizing cream that is sold by Kelemata S.P.A. of Via San Quintino, 28 Torino, Italy 10121, with a telephone number of 011-39-0119-976-666. Attached at Exhibit 3 are images of "VENUS Crema Da Notte" and "VENUS Trattamento Notte Conrto Le Rughe" I downloaded from Amazon.com.

13. I spoke with Paola Wlle of Kelemata S.P.A. who informed me that sales and distribution of the company's products in the United States takes place through their branch office, named Orlane-Perlier Cosmetics located at 300 Kennedy Drive, Sayreville, New Jersey 08872.

Venus Silk/Venus Dew/Venus Aura

14. In researching companies, we determined that there are essential oil products sold under the marks “VENUS DEW,” “VENUS SILK” and “VENUS AURA” by Dr. Robert Carlton of Quintascent, LLC of 10380 Wilshire Blvd., Apt. 802, Los Angeles, California 90024.

15. In speaking with Dr. Carlton of Quintascent, LLC, he informed me that those “VENUS” products have been on the market since the beginning of this year, and have been featured in trade shows in Orlando and Las Vegas. He informed me the retail price for “VENUS DEW,” “VENUS SILK” and “VENUS AURA” is \$75.00 per .33 fluid oz. Dr. Carlton stated that the Venus essential oil products are available for purchase at www.quintascent.com and www.venusdew.com. Attached at Exhibit 4 is a hard copy printout I downloaded from quintascent.com showing these “VENUS” products.

Barefoot Venus

16. I identified the company “BAREFOOT VENUS, INC.” of 7620 Wagner Road, Edmonton, Alberta, Canada. I spoke with their customer service department who told us that “BAREFOOT VENUS” sells a wide range of products including bath oils, massage oils, soaps, moisturizers and creams, and that those products are sold throughout the United States through the company’s websites at www.barefootvenus.com. Attached at Exhibit 5 are hard copy printouts I downloaded from barefootvenus.com showing the various products sold under the “BAREFOOT VENUS” name.

17. I was also informed that “BAREFOOT VENUS” products are sold at numerous retail locations in the United States including Spa Ja, 300 W. 56th Street, New York, New York; Cinnamon Stix, 107 North Main St., Salem, Indiana; and Boheme, 105 Main St., Parkville, Missouri.

Venus Beauty Supply

18. My investigation revealed the company “VENUS BEAUTY SUPPLY, INC.,” of 2435 E. North St., Suite 1107, Greenville, South Carolina 29615. In speaking with the owner, Hoon Kim, I was told that he is a retailer of cosmetics, and he sells all major cosmetics brands in his Venus Beauty Supply store and it has been in business for approximately 8 years.

Venus/Rosa Venus

19. My investigation identified the trademarks “VENUS” and “ROSA VENUS” being used in connection with bar soaps sold in the United States through several distributors, including Joe Gomez and Associates of 5120 U.S. Highway 281 North, Springbranch, Texas 78070 with a phone number of 830-438-3877. Attached at Exhibit 6 are images of the “VENUS” and “ROSA VENUS” soap products I downloaded from the manufacturer’s website.

20. I contacted Joe Gomez and Associates and was informed by one of their sales associates that company is a United States representative for Fabrica de Jabon la Corona S.A., the manufacturer of the “VENUS” and “ROSA VENUS” bar soaps. I was also informed by Joe Gomez and Associates that the bar soaps have been distributed to retailers in the New York and New Jersey area.

Venus Nails Incorporated

21. My investigation identified “VENUS NAILS INCORPORATED” as a single location salon that offers manicures, pedicures, waxing, facials and other spa treatments. It is located at 202 East 42nd Street, New York, New York 10017 with a telephone number of 212-983-6245.

22. I spoke with the manager of that store who confirmed that the company offers manicure, pedicure, waxing, facials and other spa treatments at that location, and has been doing so for approximately 14 or 15 years.

Beauty Source Venus

23. My investigation identified “BEAUTY SOURCE VENUS,” which is the name of a retail store that currently sells hair and skin products, accessories and cosmetics. It is located at 2651 Blanding Avenue, Alameda, California 94501 with a phone number of 510-523-1130.

24. I spoke with a sales clerk at Beauty Source Venus who told me there are two locations, one in Alameda, California, and one in Emeryville, California. She also confirmed that Beauty Source Venus has been in business for almost ten years.

Nails for Venus

25. My investigation identified “NAILS FOR VENUS,” which is a single location nail salon located at 29 East Madison Avenue, Cresskill, New Jersey 07626 with a phone number of 201-894-0822. I spoke with one of the manicurists at that location who confirmed that they are currently offering manicure services under the Nails for Venus name, and have been doing so for about five years.

Venus Spa and Nails

26. My investigation identified “VENUS SPA AND NAILS” which is a single location business that currently offers manicures, pedicures, as well as hair removal and massage services at 305 East International Speedway Blvd., Deland, Florida 32724, with a phone number of 386-734-6466. I spoke with one of the employees who confirmed that company is actively in business and does in fact offer its services under the name “VENUS SPA AND NAILS” and has been doing so for approximately two years.

Venus Nails

27. My investigation identified "VENUS NAILS" which is a single location manicure and pedicure store located at 6821 Spencer Highway, Pasadena, Texas 77505, with a telephone number of 281-998-7037.

28. I spoke with a manicurist there who informed me that Venus Nails provides manicure services for women at that address.

Salon Venus

29. My investigation identified "SALON VENUS" which is a hair styling service currently in business, and specializing in coloring and cutting of women's hair. It is located at 355 Hukilike Street, #101, Kahului, Hawaii 96732, with a phone number of 808-877-7142.

30. I spoke with Venus Bolig, the principal of Salon Venus, who informed us that she has been in business for three and a half years, offering hair styling services under the "SALON VENUS" name.

Venus Hair Salon

31. My investigation identified "VENUS HAIR SALON" of 562 Elizabeth Avenue, Elizabeth, New Jersey 07206 with a telephone number of 908-994-0577.

32. I spoke with a stylist who confirmed the company is offering hair salon services at that location under the Venus Hair Salon name.

I declare under penalty of perjury that the foregoing is true and correct.

Executed On: 6/15/07 (date)

Damias A Wilson
Damias Wilson